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CLARK COUNTY
WASHINGTON

COMMUNITY PLANNING

SUPPLEMENTAL STAFF REPORT

TO: Clark County Board of Councilors

FROM: Oliver Orjiako, Director

DATE: February 23, 2016

SUBJECT: Public Hearing: Regarding selection of a “preferred alternative” and of planning assumptions; corrections of mapping errors, if necessary; and a path forward.

BACKGROUND

The Board of County Councilors took public testimony at their February 16, 2016 public hearing regarding the Preferred Alternative to be studied in the Final Supplemental Environmental Impact Statement (FSEIS). This supplemental staff report addresses the following issues the board raised at the close of public testimony.

SITE-SPECIFIC REQUESTS

There have been several site specific requests made for plan changes that would apply only to one or a few specific properties. These requests have been included in the record. Many of the requests would involve de-designation of resource lands, expansions of urban growth areas, or reduction of lot sizes in resource and rural lands. Alternatives 2 and 4 both incorporate area-wide reviews of the county’s resource and rural zones, and therefore include consideration of the issues that govern many of these requests. Because these area-wide alternatives are analyzed in the DSEIS, as well as recommendations involving the urban areas in Alternatives 2 and 3, the site specific requests have not been studied in the DSEIS. Further, the Board adopted Resolution 2014-06-16 on June 24, 2014 suspending annual reviews and dockets for 2015 and 2016, unless an emergency exists. Given that resolution, the consideration of non-urban lands by Alternatives 2 and 4, and the fact that site specific requests were not specifically considered in the DSEIS, no further consideration has been given to them in this plan update. Property owners who contacted Planning with site specific requests have been informed that their requested actions would not be part of this update.

1994 AGRI-FOREST DESIGNATIONS

As a result of the Poyfair remand in 1997, the county undertook a process to re-designate the 35,000 acres that had been designated Agri-Forest. The Agri-Forest zone had a 20-acre minimum. All but 200 acres were re-designated to R-5, R-10 and R-20. The R-10 and R-20 zones were created at the same time as the Agri-Forest re-designation, since Rural Estate 5 - acre minimum was the only non-resource designation when the 1994 comprehensive plan was adopted. Currently, there are 26,600 acres that have R-10 or R-20 zoning (7,306 acres of R-20 and 19,338 acres of R-10). It can be inferred that the remaining 8,400 acres are in R-5 zoning.

We have a GIS map layer that we can be displayed at the hearing that shows the Agri-Forest land as adopted in 1994.

ACCESSORY DWELLING UNITS IN THE RURAL AREA

Staff is working with the Prosecuting Attorney's office regarding the potential for allowing accessory dwelling units (ADU) in the rural area. There is some recent litigation that needs to be reviewed prior to drafting an ordinance. This could be done as an implementation tool subsequent to adoption of the comprehensive plan.

CLARIFICATION OF COLUMN A INACCURACIES

"Proposed Changes to Planning Assumptions" (version 1.09) was introduced on November 18, 2015. Table 1 of that document contains two sets of rural vacant buildable lands model (VBLM) assumptions. Column A is an interpretation of the assumptions and methodology used by GIS staff in estimating the potential number of lots that are buildable in the rural area. The attached Exhibit 1 is the documented methodology used by staff to arrive at the lot estimates used in the Draft Supplemental Environmental Impact Statement (DSEIS). Column A erroneously states that Forest lands are included in the count of potential new lots. Exhibit 1 document clearly states on page 1 under Excluded – Forest zoned lands in the Current Use program (Timber or Designated Forest Land (DFL)). Column B of this document was the focus of the Thorpe report.

PROPOSED GMA CHANGES

Staff is not aware of any changes that will affect the implementation of the GMA.

NEXT STEPS

Subsequent to adoption of the Preferred Alternative the next steps would be as follows:

- Analysis work: Final SEIS; Update VBLM for the urban area; Capital Facilities Plan (CFP); Capital Facilities Financial Plan (CFFP); Comprehensive Plan text; and CCC Title 40 changes to reflect Preferred Alternative
- Issue FSEIS
- Commerce 60-day review
- Planning Commission (PC): Work Sessions on: FSEIS, Comp plan text, title 40, CFP, CFFP
- Joint PC/BOCC Hearings
- Planning Commission adoption of recommendation to BOCC
- BOCC Hearings/Deliberations/Decision